

DOCKET NO: 266221US6PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
Takeshi SHIMOYAMA : EXAMINER: ABBASZADEH, J. A.
SERIAL NO: 10/526,048 :
FILED: FEBRUARY 28, 2005 : GROUP ART UNIT: 2115
FOR: INFORMATION PROCESSING :
DEVICE USING VARIABLE
OPERATION FREQUENCY

PETITION TO WITHDRAW THE APPLICATION FROM ISSUE
UNDER 37 C.F.R. § 1.313(c)(2)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

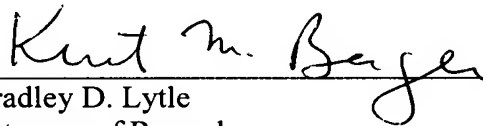
Applicant respectfully petitions the withdrawal of the above-identified application from issue pursuant to 37 C.F.R. § 1.313 (c)(2), so that the Request for Continued Examination (RCE) and the Information Disclosure Statement (IDS) filed with this Petition may be considered upon the granting of this Petition. This Petition is filed under 37 C.F.R. § 1.313(c) because the Issue Fee was paid on December 31, 2007. In this case, the references disclosed in the IDS were cited in an Office Action in a corresponding Japanese application. Applicant's representative only became aware of this Action on January 22, 2008 and, therefore, could not have filed the IDS before paying the Issue Fee. Accordingly, it is requested that the Petition be granted, that the above-identified application be withdrawn from issue, and that the Information Disclosure Statement be considered.

Application Serial No. 10/526,048
Takeshi SHIMOYAMA

In accordance with 37 C.F.R. § 1.17(h), the required fee for filing this 37 C.F.R. §
1.313 Petition is included herewith.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, reading "Kurt M. Berger", is written over a horizontal line.

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